

GOVERNMENT OF TELANGANA
ABSTRACT

The Andhra Pradesh Reorganisation Act, 2014 – Repeal of the Andhra Pradesh Land Grabbing (Prohibition) Act, 1982 and transfer of pending cases in the Tribunal under the Act to the respective Courts of Law Notification – Orders – Issued.

REVENUE (LAND MATTERS) DEPARTMENT

G.O.MS.No. 113

Dated: 01-06-2016.

Read the following:

1. Andhra Pradesh Land Grabbing (Prohibition) Act, 1982.
2. The Andhra Pradesh Reorganisation Act, 2014 (Central Act No.6 of 2014).

ORDER:

Whereas, the Andhra Pradesh Land Grabbing (Prohibition) Act, 1982 (A.P.Act No.12/1982) was enacted to arrest and curb the unlawful activities of land grabbers from their organised attempts to grab either by force or by deceit or otherwise, lands belonging to Government, other State agencies. The object of the Act was to dispose of the case of land grabbing within a period of six months.

2. And Whereas after formation of State of Telangana, the functioning and efficacy of the Special Courts and Special Tribunals are examined and it is noticed that the object of constituting the Special Courts and Special Tribunals for disposal of the cases of land grabbing cases within prescribed period is not achieved and there are instances that took years in taking cognizance of the cases itself.

3. And whereas, section 101 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act No.6 of 2014), the appropriate Government i.e., the State of Telangana is empowered by order, to make such adaptations and modifications of any law (as defined in section 2 (f) of the Act) made before 02.06.2014, whether by way of repeal or amendment as may be necessary or expedient, for the purpose of facilitating the application of such law in the State of Telangana before expiration of two years from 02.06.2014; and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.

4. Taking into consideration of overall functioning, it is found that the object and purpose of the enactment was not achieved.

5. Therefore, it is decided to repeal Andhra Pradesh Land Grabbing (Prohibition) Act, 1982 and its application to the State of Telangana. Accordingly, the following notification will be published in an Extraordinary Issue of Telangana State Gazette dated 01.06.2016.

NOTIFICATION

1. In exercise of the powers conferred by Section 101 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act 6/2014), the Governor of Telangana hereby makes the following order, namely;

- (a) This order may be called Andhra Pradesh Land Grabbing (Prohibition) Act, 1982 (AP Act 12/1982) Repeal Order, 2016.
- (b) It shall come into force with effect from the date of the order.

2. The Andhra Pradesh Land Grabbing (Prohibition) Act, 1982 in its application to the State of Telangana is hereby repealed, save as otherwise provided hereunder:

- (i) All cases of post cognizance pending before the Special Court and Special Tribunals shall stand transferred to the Courts of Chief Judge, City Civil Court, Hyderabad or Principal District Judges of the respective District Courts, and the said cases shall be tried and disposed of as LGOP in terms of A.P. Act, 12/1982.

- (ii) All appeals pending before the Special Court shall stand transferred to the High Court of judicature at Hyderabad, and the said cases shall be heard and disposed of as L.G. Appeals in terms of AP Act, 12/1982.
- (iii) Any case remanded by the High Court or the Supreme Court of India arising out of orders or Judgments passed under the AP Act, 12/1982, to the Special Courts/Special Tribunals, shall be dealt with by the Courts of Chief Judge, City Civil Court, Hyderabad or District Judges of the respective District Courts, as the case may be under the provisions of AP Act, 12/1982.
- (iv) Any case remanded by the Supreme Court arising out of judgment or order passed under the AP Act, 12/1982, shall be disposed of by the High Court in terms of A.P. Act, 12/1982.
- (v) The personnel working under the control of the Special Court shall be transferred by way of accommodation in any office or authority as the Government of Telangana may decide, by appropriate order.
- (vi) Notwithstanding any Rule, Judgment, decree or order of any Court:-

The Judgment, decree or order passed under the AP Act 12/1982, which remain unimplemented for any reasons, or pending before any Court for execution as on the date of Repealing Order, shall stand transferred to respective Civil Courts having jurisdiction for its execution in terms of the provisions of Code of Civil Procedure, 1908.

6. The Registrar (I/c), Special Court Under Andhra Pradesh Land Grabbing (Prohibition) Act, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

B.R.MEENA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner, Printing, Stationary and Stores, Chanchalguda,
Hyderabad. (with a request to supply 100 copies of the notification)

The Registrar (I/c), Special Court Under Andhra Pradesh Land Grabbing
(Prohibition) Act, Hyderabad

The Registrar General (Admn), High Court of Telangana, Hyderabad.

The Chief Commissioner of Land Administration, T.S., Hyderabad.

All the District Collectors, (through Chief Commissioner of Land
Administration, Telangana State, Hyderabad).

All the Sections of Revenue Department.

Copy to:

The Learned Advocate General, High Court of Telangana, Hyderabad.

The Government Pleaders for Revenue, Assignments, Land Acquisition,
High Court of Telangana, Hyderabad

The Law (C) Department.

SF/SCs.

//FORWARDED :: BY ORDER//

SECTION OFFICER